

The Honorable Robert J. Bryan

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON AT TACOMA

LAWRENCE HARTFORD ET AL.,

Plaintiffs,

v.

BOB FERGUSON ET AL.,

Defendants.

No. 3:23-cv-05364

CLARK COUNTY DEFENDANTS'
RESPONSE TO PLAINTIFFS' MOTION
FOR PRELIMINARY INJUNCTION

Noting Date: May 26, 2023

COMES NOW Defendants, Prosecutor Anthony Golik and Sheriff John Horch (hereinafter "Clark County Defendants"), by and through their attorneys of record, ANTHONY GOLIK, Prosecuting Attorney, and LESLIE A. LOPEZ, Chief Civil Deputy Prosecuting Attorney and AMANDA M. MIGCHELBRINK, Senior Deputy Prosecuting Attorney, and file this response to Plaintiff's Motion for Preliminary Injunction.

Substitute House Bill 1240 was signed by Washington State Governor Jay Inslee on April 25, 2023, taking effect immediately. This new law prohibits the sale or manufacturing of assault weapons in Washington State. On the same day, the Plaintiffs filed a complaint challenging the constitutionality of the newly enacted law. See Docket No. 1. On May 5, Plaintiffs filed this motion for preliminary injunctions. Docket No. 10.

The Plaintiffs' process server contacted the Chief Civil Deputy Prosecuting Attorney, inquiring about service for the Clark County Defendants. Exhibit 1, Declaration of Leslie A. Lopez. Those Defendants did waive service of the complaint on May 10, 2023 and the process server delivered the complaint, the preliminary injunction, and service waiver forms. *Id.* On May 11, 2023, Plaintiffs' counsel sent an email to the Clark County Defendants' Counsel, advising her that he had filed a preliminary injunction against the Clark County Defendants. *Id.* Because Plaintiffs noted the motion for May 26, 2023, Plaintiffs did not timely serve the Clark County Defendants pursuant to LCR 7 (d). Regardless, the Clark County Defendants do not take a position on the Plaintiffs' motion for preliminary injunction.

Dated May 22, 2023.

/s/ Leslie A. Lopez

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Attorneys for Defendants, John Horch and Tony Golik

CERTIFICATE OF SERVICE

I hereby certify that on May 22, 2023, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the following:

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and I hereby certify that I have mailed by United States Postal Service the document to the following non-CM/ECF participants:

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5 *Defendant*

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Defendant

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7 Dated May 22, 2023.

8 *s/ Nichole Carnes*
9 Nichole Carnes, Legal Assistant
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